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INCORPORATED VILLAGE OF FREEPORT
BOARD OF TRUSTEES MEETING

MUNICIPAL BUILDING
46 North Ocean Avenue
Freeport, NY 11520

February 2, 2023
11:14 a.m.

M E M B E R S:

ROBERT T. KENNEDY	MAYOR
EVETTE B. SANCHEZ	TRUSTEE
JORGE A. MARTINEZ	TRUSTEE

* * *

PAMELA WALSH BOENING	VILLAGE CLERK
ROBERT McLAUGHLIN	DEPUTY VILLAGE COUNSEL
JENNIFER UNGAR	DEPUTY VILLAGE COUNSEL
SERGIO MAURAS	BUILDING SUPERINTENDENT
MARK DAVELLA	CONSULTANT

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2 MAYOR KENNEDY: Village attorney,
3 please proceed.

4 MR. McLAUGHLIN: I'm Just opening up
5 the Zoom.

6 MAYOR KENNEDY: I'll open up the
7 meeting for those who are here. So we all
8 understand, this is for nuisance homes in the
9 Village of Freeport that need exterior work
10 for aesthetic reasons. We really need to
11 clean up some of theses houses that are in
12 the Village for the residents that are living
13 next door to vacant, boarded up, rat
14 infested, and definitely a nuisance in the
15 neighborhood. That's what this meeting is
16 continuing to review.

17 I'll turn it over now to the village
18 attorney.

19 MR. McLAUGHLIN: Thank you,
20 Mr. Mayor. The first matter we have is 160
21 Cedar Street.

22 MAYOR KENNEDY: Can we get an update
23 from the Buildings Department?

24 MR. MAURAS: 16 Cedar Street is a
25 structure that was acquired by Mr. Reese

1
2 Kenchen. Mr. Kenchen has been making
3 significant progress in restoring that
4 structure. The siding has been installed,
5 steps to the electric meter have been
6 installed, a deck that was previously
7 approved was also installed.

8 So, there is a quite a lot of
9 progress to restore this property to the
10 condition it should be in.

11 MAYOR KENNEDY: Is there an expected
12 completion date?

13 MR. MAURAS: Mr. Kenchen happens to
14 be on the screen as we speak.

15 MR. KENCHEN: I'm guessing within the
16 next -- depending on sign-offs and approvals,
17 within the next 60 to 90 days.

18 MAYOR KENNEDY: Okay. Can we
19 rescheduled this for 60 days from now?

20 MR. McLAUGHLIN: If I may, Mr. Mayor,
21 if we can do it without a date, that way when
22 we pick a date 60 days from now, we'll put
23 him on that calendar. We'll adjourn it, at
24 this point, without a date.

25 MAYOR KENNEDY: That's fine.

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1
2 Sir, thank you very much. I
3 appreciate you joining us, and I appreciate
4 you taking care of the house.

5 MR. KENCHEN: Thank you.

6 TRUSTEE SANCHEZ: So moved.

7 TRUSTEE MARTINEZ: Second.

8 MAYOR KENNEDY: Madame Clerk, please
9 poll the Board.

10 THE CLERK: All in favor.

11 TRUSTEE SANCHEZ: Aye.

12 TRUSTEE MARTINEZ: Aye.

13 MAYOR KENNEDY: Aye.

14 THE CLERK: Any opposed?

15 (No response was heard.)

16 MR. McLAUGHLIN: 295 Arthur Avenue.
17 Anybody on the screen for 295 Arthur?

18 MS. TOUMA: Yes. Good morning. Hiba
19 Touma from Rozario and Touma on behalf of
20 Housing Trust Fund Corporation.

21 MR. McLAUGHLIN: Superintendent, can
22 you give us the status for 295?

23 MR. MAURAS: 295 Arthur Avenue was
24 also an incomplete New York Rising project.
25 As of this date, an application was filed for

1
2 a demolition permit. The demolition permit
3 has been issued for the demolition of the
4 framing of that structure. We are just
5 waiting on a start date from the Housing
6 Trust Fund.

7 MS. TOUMA: So, the start date should
8 be within the next week or so. My client let
9 us know that the application was pending and
10 they were just waiting for that approval.
11 Unfortunately, information gets to me a
12 little delayed. So, if it was approved, they
13 should be starting. They already have a
14 contractor ready to go.

15 MR. MAURAS: The application was
16 converted to a permit. And they also
17 received Email notification indicating that
18 they do have approval to begin the work.

19 MS. TOUMA: Okay.

20 MR. McLAUGHLIN: If I may, just a
21 recommendation, Mr. Mayor. We'll put it on
22 for the next date, which is March 2nd.
23 Should the property be commenced, we can
24 always take it off the calendar at that time.

25 MAYOR KENNEDY: That's fine by me.

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Can I get a motion to adjourn to March 2nd?

TRUSTEE SANCHEZ: So moved.

TRUSTEE MARTINEZ: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you for joining us, I appreciate it. If we can get this rolling, we will cancel it for the next meeting.

MS. TOUMA: Absolutely. Thank you so much.

MAYOR KENNEDY: Have a good day.

MR. McLAUGHLIN: 700 South Long Beach Avenue.

A L Y E R U C L A R K E,
having been first duly sworn by a Notary Public of the State of New York, was examined and testified as follows:

COURT REPORTER: Please state your

February 2, 2023

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1
2 name and address for the record.

3 MR. CLARKE: Al-Yeru Clarke. 700
4 South Long Beach Avenue, Freeport.

5 MR. MAURAS: We are here in regards
6 to a dilapidated bulkhead which has been
7 causing quite a few flooding related issues
8 effecting neighboring properties and allowing
9 the water to enter into the sanitary system
10 of the Village of Freeport. We are waiting
11 for an application to be filed for the repair
12 of that bulkhead.

13 MAYOR KENNEDY: Have you gotten a
14 copy of the DEC permit for the plans?

15 MR. MAURAS: Mr. Yeru has all the
16 document present.

17 MR. CLARKE: I have the DEC permit
18 from the engineers, and this is the
19 application for the Village permit that's
20 going to be submitted by Wetscape Consulting.
21 Mr. Joe Enrico, I spoke with him, he said he
22 would be able to it get there Monday.

23 MAYOR KENNEDY: You intend to do the
24 bulkhead?

25 MR. CLARKE: Correct. And I have a

1
2 the deposit, the receipt for the contractor
3 doing the work; and that will begin as soon
4 as we get this. So, as soon as we get the
5 Village permit, we'll be able to start the
6 work.

7 MR. MAURAS: I have already assured
8 that as soon as I receive that application in
9 my office, I will review and issue the permit
10 the same day.

11 MAYOR KENNEDY: Is it possible we can
12 submit that today to the Building Department?

13 MR. CLARKE: Yeah. The only thing
14 is, I'm going to have the check for the
15 permit tomorrow. That's why Joe Enrico said
16 is it not able to do it tomorrow, he is able
17 to do it Monday. That's the holdup.

18 MAYOR KENNEDY: Let's say it will be
19 done by Monday?

20 MR. CLARKE: Absolutely. According
21 to what Mr. Enrico communicated to me when I
22 spoke with him this week.

23 MAYOR KENNEDY: Maybe you can provide
24 the Building Department his phone number so
25 there's communication.

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1 MR. MAURAS: We also have his number.

2
3 MAYOR KENNEDY: I would like to show
4 you this video before, so we know how
5 important this is. This is the damage that
6 occurred on South Main Street the last we
7 flooded. Probably 15 cars because of the
8 water coming out of this property. Cars
9 burnt up, were towed away, on fire. It went
10 down the sewer lines and came up other sewer
11 lines further down the block. It is very,
12 very important that we address this.

13 MR. CLARKE: Currently, there is a
14 berm put back up, and I have sandbags on top
15 of that. Irregardless of that, I understand
16 the seriousness. After reviewing the video,
17 of course, I definitely want to get this done
18 immediately. That's what I'm aiming towards.
19 Before the next hearing, I expect to have
20 substantial, if not complete, work done for
21 the bulkhead. I appreciate the patience that
22 the Village has shown.

23 MAYOR KENNEDY: Why don't we adjourn
24 this for 30 days to March 2nd. In the
25 interim, we'll ask Sergio to communicate with

1
2 Mr. Enrico and the owner, just to verify that
3 the documents have been submitted.

4 MR. McLAUGHLIN: More importantly,
5 that once the -- we don't want to have him
6 say we got the permit but I can't start
7 because of this and that. He needs to be
8 ready.

9 MR. MAURAS: We do need to know when
10 the work will begin.

11 MR. CLARKE: The work will begin as
12 soon as the permit is issued. Yeah, the work
13 begin as soon as the permit is issued.

14 MR. McLAUGHLIN: I would also ask you
15 to ask your contractor, when he comes here
16 that day, specifically ask for the
17 superintendent. He can even wait to get the
18 permit issued, so that way Mr. Mauras can
19 review it and issue it before he leaves the
20 building.

21 MR. CLARKE: Right. My understand
22 understanding is that the expediter will be
23 here that day with the contractor information
24 in terms of --

25 MR. McLAUGHLIN: Whoever comes in,

1
2 have them specifically ask for the
3 superintendent, because we don't want to not
4 know that he came and all of that stuff. We
5 want to be able to issue it that day.

6 MAYOR KENNEDY: I'm going to ask for
7 a motion to adjourn this to March 2nd,
8 pending approval by the Buildings Department
9 that they did receive the permit application
10 no later than Monday.

11 TRUSTEE SANCHEZ: So moved.

12 TRUSTEE MARTINEZ: Second.

13 MAYOR KENNEDY: Madame Clerk.

14 THE CLERK: All in favor.

15 TRUSTEE SANCHEZ: Aye.

16 TRUSTEE MARTINEZ: Aye.

17 MAYOR KENNEDY: Aye.

18 THE CLERK: Any opposed?

19 (No response was heard.)

20 MAYOR KENNEDY: Thank you much. I
21 appreciate it.

22 MR. CLARKE: Thank you.

23 MR. McLAUGHLIN: 823 South Long Beach
24 Avenue.

25 MR. SCARBOROUGH: Ivan Scarborough.

February 2, 2023

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1
2 MAYOR KENNEDY: Good morning, sir.

3 I V A N S C A R B O R O U G H,
4 having been first duly sworn by a Notary
5 Public of the State of New York, was
6 examined and testified as follows:

7 COURT REPORTER: Please state your
8 name and address for the record.

9 MR. SCARBOROUGH: Ivan Scarborough.
10 823 South Long Beach Avenue, Freeport,
11 New York.

12 MAYOR KENNEDY: Good morning, sir.

13 MR. SCARBOROUGH: Good morning.

14 MAYOR KENNEDY: Village attorney.

15 MR. McLAUGHLIN: Superintendent, can
16 you give us a status?

17 MR. MAURAS: So, the property located
18 at 823 South Long Beach Avenue is in need of
19 exterior painting. It has section of fascia
20 board which need to be removed, replaced and
21 painted. There are dilapidated portions of
22 brick which is peeling off of the side of the
23 home. There is debris throughout the
24 property on the premises. There are sections
25 of decking in the rear of the property that

1
2 also need to be removed and also painted.
3 There is a metal awning which is over the
4 front porch which also requires painting, in
5 addition to a few doors which also require
6 painting.

7 MR. McLAUGHLIN: Sir, can you advise
8 what the status of the repairs are?

9 MR. SCARBOROUGH: Yes. I have been
10 and I have made plans to correct these
11 deficiencies temporarily, so that -- right
12 now I am anticipating the lifting of the
13 premises, and those permits are going to be
14 submitted hopefully soon. So, in the
15 meantime, I am going to make the repairs that
16 I just stated and deficiencies will be
17 cleared up before -- I guess I need
18 definitely some time.

19 MR. McLAUGHLIN: Mr. Mayor, we also
20 had our Village contractor go look at the
21 property to make determinations on what needs
22 to be done, in anticipation that the Village
23 may have to make the necessary repairs.

24 Mr. Davella, if you can advise
25 quickly what you reviewed.

1
2 MR. DAVELLA: So, there was a report
3 I turned in this morning with regards to the
4 debris around all four faces of the house,
5 the front and the rear being the most severe
6 sides with the awning, the fascia boards, the
7 garage and the railing in the front needing
8 painting the most. The amount of the debris
9 on the south side of the house that currently
10 has stacked up in excess of two trash bags
11 high on the south side is a rodent condition,
12 along with all the debris in the back, I
13 estimate somewhere between two 20 yard and
14 two 30 yards dumpsters to get all of that
15 debris out of there that is currently
16 stacked.

17 There is also a piece of decking on
18 the north fascia on the rear of the home that
19 was not taken down, that is not supported by
20 anything. It has a walkway area on the deck
21 that is unstable that needs to be removed,
22 secured somehow and the decking put back in
23 place; if that's even possible. There's
24 gutters hanging off the side of the house
25 that aren't attached to a gutter system, it's

1
2 just a down spout. There are several cracks
3 in the foundation that lead me to believe
4 there might be additional problems. But from
5 the standpoint of aesthetics only, it needs
6 painting, debris removal all the way around.

7 MAYOR KENNEDY: Sir, did you say you
8 were going to raze the home?

9 MR. SCARBOROUGH: Yes.

10 MAYOR KENNEDY: You submitted an
11 application for a razing?

12 MR. SCARBOROUGH: I have plans that
13 were submitted. Right now I'm in
14 negotiations with someone to facilitate the
15 lift.

16 MR. McLAUGHLIN: If I may, Mr. Mayor.
17 I think while that's good for him that he's
18 making those plans, a lot of the issues now
19 are not connected to the raising of the
20 house, including the painting. Some might be
21 included, but the painting and the cleaning
22 of the yard itself, as Mr. Davella just
23 stated, that's not a house raising issue.
24 That needs to be done before any plans of the
25 house razing.

1
2 MAYOR KENNEDY: I understand that
3 razing the house may include replacing
4 siding. That's a possibility. But the
5 question really is, how soon would that be
6 done? When would a completion date on this
7 be? Or if it's that far down the line, we
8 may have to make temporary repairs to the
9 house until such time as it has been raised
10 and things have been addressed.

11 MR. SCARBOROUGH: I know that getting
12 the plans in place for the lift might take
13 some time. But in the meantime, I am going
14 to correct the deficiencies that you just
15 stated to the best of my ability, and then
16 hopefully by that time we would be able to
17 start or give a date as to when the lift
18 would start.

19 MAYOR KENNEDY: Can I ask our
20 Buildings Department to bring down a
21 recommended list of items that need to be
22 addressed, so we're both on the same page?

23 MR. SCARBOROUGH: I appreciate that
24 and I will try to start that as soon as
25 possible.

1
2 MAYOR KENNEDY: Will you be there
3 today?

4 MR. SCARBOROUGH: Yes, I will be
5 there today.

6 MAYOR KENNEDY: I'm going to ask the
7 Buildings Department and our inspector, both,
8 to make a trip down there, walk around, show
9 the specific items to you. You can get back
10 to us tomorrow or the next day, just to let
11 us know how soon you anticipate doing this.
12 In the interim, I'll ask to have a motion
13 made to adjourn this for 30 days. In the
14 interim, you can address these and get back
15 to us.

16 TRUSTEE MARTINEZ: Mr. Mayor, the
17 only concern, I think to counsel's point, the
18 razing of the house is a complete and
19 separate issue here. We just heard our
20 consultant talk about possibly two 30 yard
21 dumpsters.

22 Mr. Scarborough, are you physically
23 able to remove that debris from the house at
24 this point?

25 MR. SCARBOROUGH: No. I will attend

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to that. I will take care of the debris.

TRUSTEE MARTINEZ: Sir, they are talking about a significant amount. They are talking about two full 30 yard dumpsters. That's quite a task.

MR. SCARBOROUGH: Okay. I promise you, I will take care of the debris.

MAYOR KENNEDY: Okay. If you need assistance, please feel free to call us.

Can I get a motion to adjourn for 30 days? In the interim, I will ask the Buildings Department and Mark Davella to bring the list down there today and review it with the owner.

TRUSTEE MARTINEZ: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you, sir.

1
2 You'll see somebody within about two hours.

3 MR. SCARBOROUGH: Mr. Mayor, can I
4 come up to the office and pick that up this
5 afternoon?

6 MAYOR KENNEDY: I prefer they go down
7 there and walk with you to point out the
8 areas in question, in case you have a
9 question with regards to what specs were
10 written.

11 MR. SCARBOROUGH: I understand.
12 Okay. Approximately what time should I
13 expect them?

14 MR. MAURAS: Anywhere between 3:00
15 and 4:00.

16 MAYOR KENNEDY: How is 3:00?

17 MR. SCARBOROUGH: That will be fine.

18 MAYOR KENNEDY: Mark.

19 MR. DAVELLA: 3:00 it is.

20 MAYOR KENNEDY: Thank you, sir.
21 We'll see you exactly at 3:00.

22 MR. SCARBOROUGH: Okay.

23 MR. McLAUGHLIN: Next on the agenda
24 is 109 Atlantic Avenue.

25 MR. CALLEGARI: Good morning, counsel

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for Anthony DiNapolitano.

MS. ROSEN: Nicole Rosen. Counsel for the secured creditor.

MR. CALLEGARI: I believe there's another person on the call because -- to let the Court know, we reach a settlement on the pending foreclosure matter. The closing is taking place this coming Monday. My client has already secured a buyer of the property who is a contractor that is well known within the Village of Freeport. I believe he's on the call or his attorney is on the call.

Is Mr. Barnes there? I think it's Bruce Barnes. I guess not.

MR. McLAUGHLIN: Counsel, you indicated to me yesterday -- you sent me the attorney's name, but you indicated to me you were also going to sending me copy of the contract for sale. You're muted.

MR. CALLEGARI: Sorry. I sent it yesterday, yeah.

MR. McLAUGHLIN: We didn't get the contract for sale. If you can resend that to us.

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MR. CALLEGARI: Not a problem. Was I muted for everything I just said or no?

MR. McLAUGHLIN: No, just when I asked you the question about the contract.

MR. CALLEGARI: Okay. I mean, I was told Mr. Barnes would be on this call as well. I don't know why. Maybe he was not let into meeting.

MR. McLAUGHLIN: Everyone was let in.

MAYOR KENNEDY: Does anybody know what the purchaser plans to do with the building?

MR. BARNES: Can you call me, Nicole? I don't know how to get into the meeting.

MR. CALLEGARI: I think that's him.

MR. McLAUGHLIN: You're in.

MR. BARNES: So, my client intends on either demolishing this building or rehabbing it, based on his examination. When he closes, after we close title, he's definitely going to take the front porch down. If the house has integrity, he'll try to refurbish it. If not, he'll demolish the entire premises.

1
2 MR. MAURAS: The property itself has
3 been determined to be substantially damaged.
4 The only options are for the house to be
5 demolished or for the house to be elevated.
6 That's as per local, state and federal rules.

7 MR. BARNES: Obviously, we can't file
8 anything until we are owners. We would ask
9 that you put this over sufficient time to
10 allow us to close title and file the proper
11 permits.

12 MR. McLAUGHLIN: Counsel, before you
13 go on, can you give your appearance?

14 MR. BARNES: Yes. Bruce Barnes.
15 Offices in Garden City. 400 Garden City
16 Plaza.

17 MR. McLAUGHLIN: Just so you are
18 aware, counsel, this has been going on for a
19 while. We have already had a decision from
20 the Board to move forward with the demolition
21 of the property due to the dangerous
22 condition. I can forward that to you.

23 MR. BARNES: Well, if my client takes
24 ownership on Monday, would he be allowed to
25 arrange that for himself? Would you give him

1
2 sufficient time, or is it unstoppable at this
3 point?

4 MR. McLAUGHLIN: Does he have a
5 contractor in place ready to do it?

6 MR. BARNES: He can in very short
7 order. He's done a lot of the work in the
8 Village, so he's very familiar with the
9 requirements.

10 MAYOR KENNEDY: Who is the
11 contractor, sir?

12 MR. BARNES: Well, it's Dennis Marti.
13 I'm sure you know him. He's done homes,
14 development. There are a number of
15 corporations he uses, but I'm sure you're
16 familiar with him.

17 MAYOR KENNEDY: I would just ask,
18 sir, if he is purchasing this house, would he
19 not have made a decision already whether he
20 is going to knock it down or raze it?

21 MR. McLAUGHLIN: If I may. He's on
22 the call.

23 MR. CALLEGARI: If I might provide a
24 little context. Mr. Barnes, your client did
25 call me yesterday. From my understanding --

1
2 I believe he's on this call. He told me he's
3 coming on the call -- his plan was, he said
4 to me, a complete gut job and he plans on
5 renovating the entire building. Whether or
6 not that's considered demolishing or not, I'm
7 not sure.

8 MAYOR KENNEDY: Mr. Marti happens to
9 be here. Why doesn't he address this
10 conversation, please, and take it off mute.

11 MR. McLAUGHLIN: Mr. Marti, come off
12 mute. Mr. Marti, if you're on a cell phone,
13 you hit star seven.

14 MAYOR KENNEDY: Mr. Marti hasn't
15 joined us yet. I'm going to let the
16 Buildings Department clarified the needs of
17 the repairs that are required there. A gut
18 job is not included in the possibilities.
19 Please continue.

20 MR. MAURAS: That is correct.
21 Gutting a property to restore a property to
22 its original use is not part of the
23 requirement. It is specific that the
24 property must be demolished in its entirety
25 or that the property must be elevated to meet

1
2 flood plane management standards.

3 MR. McLAUGHLIN: That is because it
4 was substantially damaged.

5 MR. MAURAS: That is correct. Any
6 property that has sustained more than 50
7 percent damage, which is the cost of the
8 structure versus the cost of the damage and
9 was previously determined to be substantially
10 damaged must comply with the substantial
11 damage regulations. The only two options are
12 complete demolition or elevation.

13 MR. McLAUGHLIN: Mr. Marti.

14 D E N N I S M A R T I,
15 having been first duly sworn by a Notary
16 Public of the State of New York, was
17 examined and testified as follows:

18 COURT REPORTER: Please state your
19 name and address for the record.

20 MR. MARTI: Dennis Marti. 50
21 Lindenmere Drive, Merrick, New York 11566.

22 MR. McLAUGHLIN: Mr. Marti, you've
23 heard the conversation we had thus far?

24 MR. MARTI: Yes, I heard most of it.
25 So, I wasn't sure if this deal was going to

1
2 go though, since this is a property that's in
3 pre-foreclosure. When I went to see the
4 property, my impression of the property is
5 the porch needs to come down and be rebuilt.
6 The bones, the structure of the house, I
7 thought could be repaired. I have no
8 problems doing either one, building a new
9 house. Razing the house doesn't make sense,
10 financially. It's either you repair the
11 house as is. It's a nice Craftsman bungalow.
12 It could be brought back to be a nice house.

13 If you determined it should be taken
14 down, I'll take it down and build a new
15 house. That's the only -- it doesn't make
16 sense to raze that house, because I can build
17 a much better house, if I build a new house.
18 And financially, to raze that house doesn't
19 make sense.

20 MR. McLAUGHLIN: My understanding is,
21 your attorney mentioned, that you're closing
22 on Monday, correct?

23 MR. MARTI: That's what I was
24 informed yesterday, yep.

25 MR. McLAUGHLIN: After you close, how

1
2 long is it going to take to file proper
3 permits and start the demolition of the
4 residence?

5 MR. MARTI: Well, I have plans. I
6 could probably get it together in a week. If
7 it's a new house, it has to be done. I could
8 get all of the demo. To get the demo permit,
9 I have to file for all the disconnects. Even
10 though everything is disconnected, you still
11 needs letters. PSEG takes their time,
12 National Grid takes their time to give you
13 these letters. The whole process takes time.

14 MR. McLAUGHLIN: I understand that.

15 MR. MARTI: I could put plans in
16 within two weeks, three weeks.

17 MR. McLAUGHLIN: What I'm referencing
18 to is, we don't need, necessarily, at this
19 point, your plans to build a new house. At
20 this point, all we would need is the
21 demolition permit and demolition on this
22 dangerous building at this point to start.

23 MR. MARTI: Okay. For me to get a
24 demolition permit, I believe Sergio is there,
25 he would know better than me, you need a

1
2 letter from PSEG, a letter from National
3 Grid, disconnect letters that -- even though
4 they have been off for years because the
5 property has been vacant for years, to get
6 letters from them takes anywhere from four to
7 five weeks. Maybe the Village has those
8 letters.

9 MAYOR KENNEDY: Just so you know,
10 this is the Village of Freeport Electric.
11 So, that could be given to you within a
12 matter of days.

13 MR. MARTI: National grid is the
14 problem. It looks like it's disconnected.
15 To get a letter from them, they're the worst
16 of all.

17 MAYOR KENNEDY: We would be glad to
18 assist in expediting that.

19 MR. MARTI: That would be great.

20 MAYOR KENNEDY: If that is your plan
21 to take the building down and you are going
22 to close on Monday, we'll ask to adjourn this
23 meeting, and pending the Village of Freeport
24 Buildings Department communication with you,
25 applications being secured and moving forward

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2 with the knocking down of the building.

3 MR. McLAUGHLIN: Mr. Mayor, further
4 on that, I would also ask that Mr. Marti,
5 after closing on Monday, to set up a meeting
6 with the superintendent next week to have a
7 proper plan going forward.

8 MAYOR KENNEDY: Sure.

9 MR. MARTI: That could be done. No
10 problem.

11 MAYOR KENNEDY: We would be glad to
12 help you with the governing agencies, to be
13 sure we get a write off as soon as possible.

14 MR. McLAUGHLIN: Counsels, do you
15 have anything else on the matter?

16 MS. ROSEN: No. My client, because
17 this is going with a short sale, has no
18 further interest. If the sale does fall
19 through, they want to be notified that if the
20 short sale does fall through, they will allow
21 the Village to demolish the property.

22 MR. McLAUGHLIN: Okay. Counsel, do
23 you have anything?

24 MR. BARNES: No, nothing here. Like,
25 I said we're scheduled to close Monday and

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that's it. I don't see anything else
changing, at point.

MR. McLAUGHLIN: Counsel, I would ask
one more thing. After the closing on Monday,
if you could shoot me an Email confirming
that the closing took place.

MR. BARNES: Sure, not a problem.

MR. McLAUGHLIN: If you can get me a
copy of the deed and a 584 and 5217 so we
have the proper records and we can contact
your client.

MR. BARNES: No problem.

MAYOR KENNEDY: Do we have a motion
to adjourn 30 days?

TRUSTEE MARTINEZ: So moved.

TRUSTEE SANCHEZ: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: Thank you very much.

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I appreciate your help, everybody.

MR. BARNES: When was the next appearance?

MAYOR KENNEDY: March 2nd. In the interim, the prospective purchaser will contract the Buildings Department and we'll assist in any necessary paperwork.

MR. BARNES: Thank you.

MAYOR KENNEDY: Thank you. Thank you, Mr. Marti.

MR. MARTI: Thank you.

MR. McLAUGHLIN: The next matter is 213 Maxson Avenue. Do we have anyone on Zoom for 213 Maxson?

Sir, if you could state your name and address for the record.

MR. SMITH: Ramel Smith. 213 Maxson Avenue.

MR. McLAUGHLIN: Where you live right now.

MR. SMITH: 97 Randall Street, Freeport.

R A M E L S M I T H,
having been first duly sworn by a Notary

1
2 Public of the State of New York, was
3 examined and testified as follows:

4 MR. McLAUGHLIN: Superintendent, can
5 you give us a status?

6 MR. MAURAS: 213 Maxson Avenue is a
7 property that was effected by a fire, going
8 on two years now. There have been absolutely
9 no applications filed, any permits for
10 repair, no reports from engineers have been
11 provided as to the structural integrity of
12 the premises itself. The exterior of the
13 property has windows that have been boarded,
14 there are sections of the roof that are
15 missing now. Some work was being performed
16 on the house, unfortunately, without permits.
17 Roof rafters were being installed, sheathing
18 has been removed, the house is exposed to the
19 elements. There is a lot of debris on the
20 exterior of the property, doors need to be
21 painted, railings need to be painted. The
22 structure itself is posing a major nuisance,
23 as we were receiving many, many complaints
24 from the neighboring properties as to the
25 exterior condition of the property itself.

1
2 There also are some vehicles with North
3 Carolina plates on the property. We're not
4 exactly sure if they're still properly
5 registered.

6 MR. SMITH: They are.

7 MR. MAURAS: But they are also posing
8 a bit of a nuisance, based on the complaints
9 I am hearing from neighbors.

10 MR. McLAUGHLIN: Mr. Smith, if you
11 can describe what your plans are for the
12 property.

13 MR. SMITH: Well, I'm looking at a
14 text message. I hired Countless Construction
15 Solutions, back in July 2021. I gave them a
16 check. They performed clean out and gut. I
17 didn't know permits wasn't filed. I didn't
18 know any of this. I correspond with the
19 owner of the company and he told me that
20 everything was handled and that's what I went
21 with. I didn't know anything else.

22 So, once someone from the office came
23 to me one day, I was standing outside the
24 house, they told me that after the fire. I
25 was in Texas at my son's wedding, when the

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2 fire happened. I came back the next day and
3 spoke to someone from the office. He's been
4 corresponding with me since. I told him the
5 situation. I showed him the text messages to
6 me from the owner of the company. He said
7 nothing was ever filed, only the electrical
8 permit.

9 So, that's where I stand. I don't
10 know anything else. I paid this guy over
11 \$200,000. That's where I stand.

12 MAYOR KENNEDY: First of all, I would
13 ask for the name, address, phone number of
14 the contractor so we can get violations
15 issued for the illegal completing work in the
16 Village without licenses, approvals and
17 permits. Do you have the name and number?

18 MR. SMITH: I have the name of the
19 company, I don't have the address.

20 MAYOR KENNEDY: You don't have any
21 contracts or anything?

22 MR. SMITH: We didn't do contracts.
23 I gave him a check.

24 MAYOR KENNEDY: You told me you gave
25 him \$200,000 and you don't know where he is?

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MR. SMITH: I know the office is in West Hempstead. I don't know the exact address.

MAYOR KENNEDY: Who gets issued the violation? Does the owner get issued the violations?

MR. McLAUGHLIN: Yes.

MAYOR KENNEDY: If we don't have his name or number, you'll get issued the violations.

MR. SMITH: His name is Sherman Sawyer.

MAYOR KENNEDY: I need name, address and phone number. We can't issue a violation to Sherman in North Hempstead.

MR. McLAUGHLIN: Mr. Mayor, we had numerous dates on this where there were no appearances. And on December 19th there was a decision issued for the Village to make the necessary aesthetic repairs. Obviously, we're not doing a whole gut of the interior of the house; that's not the concern of this hearing, the concern is the aesthetic repairs.

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2 Our consultant has done a review of
3 the property and he can give a brief report
4 on what he found.

5 MAYOR KENNEDY: Mr. Davella, can you
6 tell us what you have in your report, please?

7 MR. DAVELLA: I did a physical
8 inspection, along with photographs. The work
9 that is necessary on the house is more in
10 line for a demolition, because a lot of the
11 structure is infiltrated and not present.
12 So, a paint job or replacing missing holes
13 would not be the standard in this case. The
14 amount of debris on the property is more than
15 just trash bags. It also extends into
16 vehicles and possible hazardous materials
17 that are in cans.

18 So, I didn't write a report, so
19 there's nothing on official records, but I do
20 have a substantial amount of photographs. I
21 don't know how the Village wants to continue,
22 at this point. But just a paint job on that
23 structure with the missing roof, sheathing,
24 rafters, shingles, doesn't -- I can't see
25 that being done. There's a large tarp that

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2 is 60 feet by 20 feet wide draped over the
3 front and back of the house right now, and
4 there's missing sheathing that's underneath
5 there. It's supported somewhat, but it's not
6 even nailed down. So, I don't know what to
7 say from a professional opinion, other than I
8 don't know that anybody should work on that
9 home.

10 MR. McLAUGHLIN: I would also suggest
11 maybe at this point we schedule an inspection
12 of the property to make sure it's safe.

13 Do you have any objection to that?

14 MR. SMITH: No.

15 MAYOR KENNEDY: How do we get access?

16 MR. SMITH: I have access.

17 MAYOR KENNEDY: Following this
18 meeting, do you want to go there and take a
19 look?

20 MR. MAURAS: Sure, no problem.

21 TRUSTEE MARTINEZ: Last time there
22 was mention there were people in the house.
23 Is there anyone living in the house right
24 now?

25 MR. SMITH: People were breaking in.

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MAYOR KENNEDY: Do you have a
timeframe in which you plan on these repairs
being completed?

MR. SMITH: I spoke to the contractor
last week. He told me he's going to do
something Friday, come in, put some permits
in. I do have blueprints, I have plans made
up for the house. That's as far as I know.

MAYOR KENNEDY: Do you have any plans
or blueprints with you?

MR. SMITH: In my Email, I have it.

MAYOR KENNEDY: Can you send it over
to Sergio?

MR. MAURAS: My Email address is
located on the bottom of the card.

MAYOR KENNEDY: Is that done by an
architect, the plans?

MR. SMITH: Yes.

MR. MAURAS: Which contractor is it
that will be submitting; the same contractor
that you mentioned?

MR. SMITH: Yes.

MAYOR KENNEDY: Do you have a phone
number for that contractor.

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MR. MAURAS: In the Email that you are sending me, send me the contractor information: Address and phone number.

MR. SMITH: The address, I don't have. I have a number and name.

MAYOR KENNEDY: That's the contractor's number?

MR. SMITH: That's the name, yes.

MAYOR KENNEDY: Call him, while you're here, and ask for his address and the name of the company.

MR. McLAUGHLIN: Sir, just for clarity, we're going to have him wait until the rest of the hearing is over. There are only two more cases.

MR. SMITH: I need the company's address, your company, doing the work on the house.

MR. McLAUGHLIN: Put him on speaker.

MR. HARRIS: Hello.

MAYOR KENNEDY: Good morning. What is the company name and what is your address, sir?

MR. HARRIS: Countless Construction.

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MAYOR KENNEDY: Spell that.

MR. HARRIS: Countless.

C-O-U-N-T-L-E-S-S.

MAYOR KENNEDY: And your address, sir.

MR. HARRIS: 300 Hempstead Turnpike, Suite 201, 11552.

MAYOR KENNEDY: 11552?

MR. HARRIS: Yes.

MAYOR KENNEDY: That's Countless Construction, 300 Hempstead Turnpike, Suite 201, 11552.

MR. McLAUGHLIN: What town is it in, sir?

MR. HARRIS: West Hempstead.

MAYOR KENNEDY: And your name, sir.

MR. HARRIS: My name is Sean. What's going on?

MAYOR KENNEDY: We're trying to figure out -- we have to get permits filed for the repairs that are over here.

MR. HARRIS: I told him I went down three times. He needs to grab a plumber. I'm doing the roof and everything. He told

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2 me, before I put the paperwork in I got the
3 licensed electrician and a licensed plumber.

4 MAYOR KENNEDY: You need a licensed
5 electrician and a licensed plumber. You need
6 to put in plans to be approved. If you're
7 doing structural work there, which you are,
8 you have to put in a plan for what work is
9 being done for a permit.

10 MR. HARRIS: I spoke -- we went down
11 there with the home owner to get the plumber.
12 The plumber is supposed to submit the
13 paperwork.

14 MAYOR KENNEDY: You should have filed
15 your work first, then the plumber and
16 electrician file separately. You're not
17 going to file for them. The plumber files
18 their papers, you file yours, and the
19 electrician files theirs.

20 MR. HARRIS: He told me it's all on
21 the same application.

22 MR. MAURAS: It is not. Who did you
23 speak to downstairs?

24 MR. HARRIS: The young lady
25 downstairs.

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2 MR. MAURAS: The process is you file
3 a building permit application, along with two
4 sets of signed drawings, provide your Nassau
5 County Consumers Affairs license, along with
6 Workers Compensation disability and liability
7 insurances.

8 MR. HARRIS: If I put mine in, do I
9 have to wait to repair the roof? Do I have
10 to wait on them?

11 MR. MAURAS: You have to provide to
12 us the building permit application. It
13 depends on what you're filing for. If you're
14 filing for only repair of the roof, then you
15 don't need a plumber or electrician, if it's
16 only a roof.

17 MR. HARRIS: Yeah. She told me. I
18 didn't know that. I can do that tomorrow.

19 MR. McLAUGHLIN: If I may, just for
20 clarification, is he doing just the roof?

21 MR. SMITH: The entire structure?

22 MR. MAURAS: Right now, are you
23 filing two separate applications, one for
24 just the roof and then filing a separate
25 application for the restoration of the

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interior of the home?

MR. HARRIS: No. I wanted to close up, do the roof, get it secure first, and then talk about doing the rest of the structure work.

MR. MAURAS: That's going to be two separate applications to be filed. You will be filing for the roof permit portion first.

MR. HARRIS: Okay, that's no problem.

MAYOR KENNEDY: Ramel, do you understand that? You are going to be filing for only the roof, and no other work will proceed until the second permit is submitted for the additional work.

MR. SMITH: Okay.

MAYOR KENNEDY: Sean, what is your last name?

MR. HARRIS: Harris.

MAYOR KENNEDY: H-A-R-R-I-S.

MR. HARRIS: Yes.

MAYOR KENNEDY: Okay. We'll expect to see you in the Building Department tomorrow. The Buildings Department will tell you what you need to bring with you.

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2 MR. MAURAS: Nassau County Consumers
3 Affairs license, Workers' Compensation
4 disability and liability insurance, and you
5 must make sure the insurance names the
6 Village of Freeport as an additional insured
7 and/or certificate holder.

8 MR. HARRIS: I'm doing a house
9 already. Okay, no problem.

10 MR. MAURAS: Perfect. Thank you.

11 MAYOR KENNEDY: Thank you, sir, I
12 appreciate it. Have a good day.

13 MR. McLAUGHLIN: Mr. Smith, you will
14 hang out and meet with Mr. Mauras and go over
15 to the house after we are done here, that way
16 the inspection will be done.

17 MR. SMITH: Okay.

18 MAYOR KENNEDY: Hang out for five
19 minutes. We have two other ones to run
20 through.

21 Mark, will you run over also, please?

22 MR. DAVELLA: Okay.

23 MR. McLAUGHLIN: We'll put this back
24 on for March 2nd.

25 MAYOR KENNEDY: Can I have a motion

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2 to adjourn to March 2nd?

3 TRUSTEE SANCHEZ: So moved.

4 TRUSTEE MARTINEZ: Second.

5 THE CLERK: All in favor.

6 TRUSTEE SANCHEZ: Aye.

7 TRUSTEE MARTINEZ: Aye.

8 MAYOR KENNEDY: Aye.

9 THE CLERK: Any opposed?

10 (No response was heard.)

11 MR. McLAUGHLIN: 115 North Bergen.

12 MS. GRAN: Good morning. Catherine
13 Gran representing the mortgagee.

14 MR. McLAUGHLIN: Counsel, you have
15 someone here present as well.

16 Counsel, do you want to put on your
17 appearance.

18 MR. PREITO: Oscar Preito.

19 P-R-I-E-T-O.

20 MR. McLAUGHLIN: Superintendent, can
21 you give us a status of the home.

22 MR. MAURAS: 115 North Bergen is a
23 property that has been vacant for
24 approximately about a year. It is in need of
25 painting. The whole entire house has been

1
2 flaking, chipping paint, and it does require
3 painting on all sides of the home.

4 MR. McLAUGHLIN: Have you done an
5 inspection?

6 MR. DAVELLA: I have done a full
7 inspection on the report. About three weeks
8 ago, I went over and photographed the house
9 and made a full inspection of it, the back of
10 the garage and the rear. I believe the
11 Village ascertained that they were only going
12 to paint the structure. I believe the entire
13 structure is 2,700 square feet and they
14 limited the painting to only what was exposed
15 to the street and the neighbors. I think
16 that's what they going off within my report.

17 MAYOR KENNEDY: Thank you. Again,
18 Mark Davella has visited the site and said
19 that it really needed to be painted, the
20 entire structure. Our concern was
21 aesthetically. If it was behind the house
22 and nobody was going to see it, we don't
23 really care. We want to get the exposed
24 areas painted and cleaned up. We are
25 currently soliciting prices from contractors.

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2 So, I'm hoping if the owner can turn around
3 and do it first, fine. If not, the Village
4 is going to do it.

5 MR. McLAUGHLIN: Just so counsels
6 here and abroad can understand, that it is
7 approximately 30 percent higher if we do it.

8 MAYOR KENNEDY: Prevailing wage costs
9 30 percent more if the Village completes the
10 work.

11 MS. GRAN: Right. We sent a vendor
12 out as well to take a look. When they were
13 there, the home owner was present and advised
14 that she -- I don't know if she intends to
15 repair it or she is working on maintaining
16 the property. I don't quite know what that
17 is going to entail. Because of that, they
18 were not able to solicit bids at this time.
19 I reached out to the home owner to see if we
20 can get permission from her to go forward in
21 that sense, but I have not heard anything
22 yet.

23 MAYOR KENNEDY: Ultimately, we're
24 going to do the work and we're going to send
25 in a bill. If they don't pay, it will go on

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2 the property taxes and a lien will be sold at
3 the end of the year.

4 MS. GRAN: If it rolls to the taxes,
5 it's going to end up on the lenders end
6 anyway.

7 MAYOR KENNEDY: Right.

8 MR. McLAUGHLIN: That's why we
9 brought you here so that you are aware. If
10 you see something like that, you are fully
11 aware of what the charge is.

12 MS. GRAN: Right.

13 MAYOR KENNEDY: I thank you. If
14 things change and you are able to see that
15 the work gets completed in the near future,
16 please call our Village attorney. If not,
17 we're going to solicit a couple of more
18 prices and execute a contract to have the
19 work done.

20 MS. GRAN: Okay.

21 MR. McLAUGHLIN: I would advise the
22 home owner, because she hasn't appeared on
23 this matter, the results of this hearing,
24 that we're going to be going forward. If she
25 does decide to do the painting herself, just

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contact us.

MS. GRAN: Sure. I sent her -- the phone number appeared to be turned off. I sent her a letter with a copy of what's been going on here. She should be getting it in the mail anyway, but to be doubly certain she is getting it. Hopefully we'll get some sort of a response from her.

MR. McLAUGHLIN: Just for the record, we do send notices both certified and regular mail to the home owner with the hearing dates.

MAYOR KENNEDY: I'd ask that the Board make a motion to proceed with the work.

MR. McLAUGHLIN: Actually, Mr. Mayor, we had done a decision on December 1st. We had given them -- we had a request from the bank to come to the hearing to see if there is anything they can do, but it appears that they are not. So, I don't think we need any further motion. We have the approval.

MAYOR KENNEDY: Okay. Motion to close.

MR. McLAUGHLIN: We have one more.

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MAYOR KENNEDY: This case.

TRUSTEE MARTINEZ: So moved.

TRUSTEE SANCHEZ: Second.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(No response was heard.)

MAYOR KENNEDY: The last one is 313
Nassau Avenue. Village attorney.

MR. McLAUGHLIN: Mr. Mayor, we have
counsel. Your appearance, please.

MS. ABENHAIM: Yes. Jennifer
Abenhaim with Woods, Oviatt and Gilman
appearing for the secured creditor, Wells
Fargo Bank.

MR. McLAUGHLIN: Superintendent, can
you give us a status?

MR. MAURAS: 313 Nassau Avenue is a
property that was abandoned for an elevation
project. It is missing siding, it has damage
to the eaves, the soffits, missing windows,
missing stairs, missing doors. The property

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2 itself still is sitting on partial cribbing
3 and on steel from the elevation project. My
4 actual recommendation would be to have that
5 property demolished.

6 MS. ABENHAIM: Good morning. We
7 understand from our January appearance that
8 the property was going to proceed to be
9 demolished. My client -- I believe we
10 discussed that the Village is going to
11 proceed with bids for the demolition and
12 advise us as to the amount of the bids, just
13 so I can relay that to my client. At this
14 time, my client is not opposing the
15 demolition, and they have also not
16 volunteered to proceed with the demolition
17 themselves.

18 TRUSTEE MARTINEZ: As per my notes
19 from last time.

20 MAYOR KENNEDY: We're just waiting
21 for bids.

22 MR. McLAUGHLIN: This will have to go
23 out to bid, given the fact it's going to be
24 over \$35,000.

25 MAYOR KENNEDY: Maybe not.

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2 MR. McLAUGHLIN: That will be better
3 if it's not.

4 TRUSTEE MARTINEZ: A lot better.

5 MR. McLAUGHLIN: We will forward the
6 bids, once we have them, just so you're
7 aware. For clarification, as the lender,
8 you're not objecting to the property being
9 torn down by the Village, as far as the
10 lender?

11 MS. ABENHAIM: As far as my client
12 advised. From our last meeting, I understood
13 bids were going to be available today and a
14 possible demolition permit issued and a
15 possible timeline for demolition to be set.
16 As far as I know, my client has not objected.
17 We're just trying to obtain a timeline for
18 the demolition, and if I can forecast to them
19 the amount of the cost of the demolition,
20 just so I can keep them apprised of the
21 status and the cost. I'm just looking for
22 some information there.

23 MAYOR KENNEDY: Within 14 days, we'll
24 have you all three bids with the cost and
25 approximate date of removal.

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MS. ABENHAIM: Thank you.

MR. McLAUGHLIN: Again, with this, we don't need any further hearing date on this. I just ask to close the hearing with regard to 313 Nassau Avenue.

TRUSTEE MARTINEZ: So moved.

TRUSTEE SANCHEZ: Second.

THE CLERK: All in favor.

TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

MAYOR KENNEDY: Thank you very much. I'll make sure the Village attorney has that information and relay it to you within two weeks.

MS. ABENHAIM: Thank you.

MR. McLAUGHLIN: Mr. Mayor, at this time I'd ask to entertain a motion to close the meeting.

TRUSTEE SANCHEZ: So moved.

TRUSTEE MARTINEZ: Second.

MAYOR KENNEDY: Madame Clerk.

THE CLERK: All in favor.

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February 2, 2023

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TRUSTEE SANCHEZ: Aye.

TRUSTEE MARTINEZ: Aye.

MAYOR KENNEDY: Aye.

THE CLERK: Any opposed?

(Time Ended: 12:04 p.m.)

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February 2, 2023

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C E R T I F I C A T E

I, BETHANNE MENNONNA, a Notary Public within and for the State of New York do hereby certify that the foregoing is a true and accurate transcript of the proceedings, as taken stenographically by myself to the best of my ability, at the time and place aforementioned.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of February, 2023.


BETHANNE MENNONNA